

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**CAROL BLANCHARD, EXECUTIVE DIRECTOR OF  
THE TEAMSTERS UNION 25 HEALTH SERVICES  
& INSURANCE PLAN,**  
Plaintiff,

v.

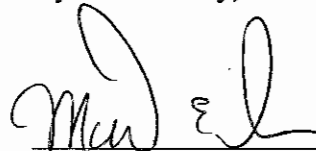
**KEITH NOLIN,**  
Defendant.

FILED  
CLERK'S OFFICE  
2005 NOV 14 P 3:48  
U.S. DISTRICT COURT  
DISTRICT OF MASS  
C.A. No. 05-11236-NG

**APPLICATION TO CLERK FOR ENTRY OF DEFAULT**

The Plaintiff, Carol Blanchard, in the above-captioned matter hereby requests pursuant to Rule 55(a) of the Federal Rules of Civil Procedure that the clerk enter default against the Defendant Keith Nolin for failure to plead, answer or otherwise defend the action as required by said Rules, as shown on the attached Affidavit "A."

For the Plaintiff,  
**Carol Blanchard, Executive Director  
Of the Teamsters Union 25 Health  
Services and Insurance Plan,**  
By her attorney,



Matthew E. Dwyer, B.B.O.#138940  
Dwyer, Duddy and Facklam, P.C.  
Two Center Plaza, Suite 430  
Boston, MA 02108  
(617) 723-9777

Dated: 11/8/05

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**CAROL BLANCHARD, EXECUTIVE DIRECTOR OF  
THE TEAMSTERS UNION 25 HEALTH SERVICES  
& INSURANCE PLAN,  
Plaintiff,**

**v.**

**KEITH NOLIN,  
Defendant.**

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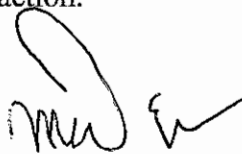
**AFFIDAVIT "A"**

I, Matthew E. Dwyer, states as follows:

1. My name is Matthew E. Dwyer. I am associated with the law firm of Dwyer, Duddy and Facklam, which at all times material herein has been counsel of record to the Plaintiff in the above-captioned action.
2. An examination of the Court's on-line file and our office file in this action shows that the Defendant was served with a copy of the complaint on June 25, 2005 by in-hand delivery to Keith Nolin. A copy of the Process Server's Affidavit is attached hereto for the clerk's convenience.
3. More than twenty (20) days have elapsed since the date on which Defendant was served "in hand" with the summons and a copy of the complaint, excluding the date thereof.
4. The Defendant has failed to answer or otherwise defend Plaintiff's complaint, or serve a copy of any answer or other defense which it might have upon Dwyer, Duddy and Facklam, attorneys of record for the Plaintiff.

5. This affidavit is executed by the affiant in accordance with Rule 55(a) of the Federal Rules of Civil Procedure for the purpose of enabling Plaintiff to obtain an entry of default against the Defendant for its failure to answer or otherwise defend this action.

Dated: 11/8/05

  
\_\_\_\_\_  
Matthew E. Dwyer

# Affidavit of Process Server

United States District Court District of Massachusetts

(NAME OF COURT)

Blanchard v Nolin

C.A. No. 0511236-05

PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

CASE NUMBER

I, Robert P. Savoie, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served Keith Nolin In Hand

NAME OF PERSON / ENTITY BEING SERVED

with (list documents) Original Summons, a Copy of the summons, Complaint  
by leaving with civil Action cover Sheet & Category Sheet At

☒ Residence Parkview Inn # 18 @ 109 S Broadway Salem NH 03079  
ADDRESS CITY / STATE

☐ Business  
ADDRESS CITY / STATE

On June 27 2005 AT 7:45PM  
DATE TIME

Thereafter copies of the documents were mailed by prepaid, first class mail on \_\_\_\_\_  
DATE

from \_\_\_\_\_  
CITY STATE ZIP

## Manner of Service:

XXXX ☒ Personal: By personally delivering copies to the person being served.

☐ Substituted at Residence: By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of \_\_\_\_\_ and explaining the general nature of the papers.

☐ Substituted at Business: By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.

☐ Posting: By posting copies in a conspicuous manner to the front door of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

☐ Unknown at Address ☐ Moved, Left no Forwarding ☐ Service Cancelled by Litigant ☐ Unable to Serve in Timely Fashion  
☐ Address Does Not Exist ☐ Other \_\_\_\_\_

Service Attempts: Service was attempted on: (1) 6/24/05 6:30pm (2) 6/27/05 5:20PM  
DATE TIME DATE TIME  
(3) 6/27/05 7:20pm (4) \_\_\_\_\_ (5) \_\_\_\_\_  
DATE TIME DATE TIME DATE TIME

Description: Age 36 Sex M Race W Height 5'10" Weight 170 Hair blk/brn Beard \_\_\_\_\_ Glasses \_\_\_\_\_

Robert P. Savoie  
SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 27th day of June, 2005

THERESA ANN SAVOIE, Notary Public  
My Commission Expires April 21, 2009

Theresa A. Savoie  
NOTARY PUBLIC for \_\_\_\_\_